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Government of Kerala
1976

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Sunday, 19th December 1976 / 28th Agrahayana 1898 [No. 720

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION.

No. 10540/LA4/76. *Dated, Trivandrum, 19th December 1976.*

The Trivandrum Municipal Corporation (Dissolution) Amendment Bill, 1976, together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1976.

.4712/S.

Fourth Kerala Legislative Assembly

Bill No. 288

THE TRIVANDRUM MUNICIPAL CORPORATION (DISSOLUTION) AMENDMENT BILL, 1976

A

BILL

to amend the Trivandrum Municipal Corporation (Dissolution) Act, 1976.

Preamble.—WHEREAS it is expedient to amend the Trivandrum Municipal Corporation (Dissolution) Act, 1976, for the purpose hereinafter appearing;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Trivandrum Municipal Corporation (Dissolution) Amendment Act, 1976.

(2) It shall be deemed to have come into force on the 1st day of November, 1976.

2. *Amendment of section 6.*—In section 6 of the Trivandrum Municipal Corporation (Dissolution) Act, 1976 (8 of 1976) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the figures, letters and words "1st day of November, 1976", the figures, letters and words "1st day of November, 1977", shall be substituted;

(b) in sub-section (2), for the figures, letters and words "1st day of November, 1981", the figures, letters and words "1st day of November, 1982" shall be substituted.

3. *Repeal and saving.*— (1) The Trivandrum Municipal Corporation (Dissolution) Amendment Ordinance, 1976 (11 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

2/4732/S.

STATEMENT OF OBJECTS AND REASONS

According to sub-section (1) of section 6 of the Trivandrum Municipal Corporation (Dissolution) Act, 1976 (8 of 1976), the council has to be reconstituted on the 1st day of November, 1976. As the elections to the council could not be held before the said date it was considered necessary to extend the time for the reconstitution of the council upto the 1st day of November, 1977. Since the Legislative Assembly was not in session, the Trivandrum Municipal Corporation (Dissolution) Amendment Ordinance, 1976 (11 of 1976), was promulgated by the Governor on the 27th day of October, 1976, to achieve this object. The bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

K. AVUKADERKUTTY NAHA

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Vol. XXI] Trivandrum, Sunday, 19th December 1976 / 28th Agrahayana 1898 [No. 721

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 10541/LA4A/76. *Dated, Trivandrum,* 19*th December* 1976.

The Calicut Municipal Corporation (Extension of time for Reconstituiton) Bill, 1976 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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33/4734/S.

Fourth Kerala Legislative Assembly

Bill No 239

THE CALICUT MUNICIPAL CORPORATION (EXTENSION OF TIME FOR RECONSTITUTION) BILL, 1976

A

BILL

to provide for the further extension of the time for the reconstitution of the Corporation of the City of Calicut.

Preamble.—WHEREAS it is expedient to provide for the further extension of the time for the reconstitution of the Corporation of the City of Calicut;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Calicut Municipal Corporation (Extension of Time for Reconstitution) Act, 1976.

(2) It shall be deemed to have come into force on the 7th day of November, 1976.

2. *Definitions.*—In this Act, "Corporation" and "Council" means the Corporation of the City of Calicut.

3. *Extension of time for reconstitution of council.*—(1) Notwithstanding anything contained in the Kerala Municipal Corporations Act, 1961 (30 of 1961) or in any notification issued thereunder, the time for reconstitution of the council shall stand extended upto noon on the 1st day of November, 1977.

(2) The council shall be reconstituted in accordance with the provisions of the said Act on the 1st day of November, 1977.

(3) The term of office of the councillors of the reconstituted council shall expire at noon on the 1st day of November, 1982.

4. *Functions of council, etc. to be exercised by person or persons appointed by Government.*—(1) All or any of the functions of the council and of the Mayor, the Deputy Mayor, the standing committees and other committees of the Corporation may, during the interval between the date of commencement of this Act and the date of reconstitution of the council in pursuance of subsection (2) of section 3, be exercised and performed, as far as **may be**

2/4733/S.

and to such extent as the Government may determine, by such person or persons as the Government may appoint in that behalf, and any such person may, if the Government so direct, receive payment for his services from the Corporation fund.

(2) The Government may determine the relationship of the person or persons appointed under subsection (1), with the Government.

5. *Assets and liabilities of council*.—The Government, until the date of reconstitution of the council in pursuance of subsection (2) of section 3, and the reconstituted council thereafter, shall be entitled to all the assets and be subject to all the liabilities of the Corporation as on the date of commencement of this Act and on the date of reconstitution respectively.

6. *Repeal and saving*.—(1) The Calicut Municipal Corporation (Extension of Time for Reconstitution) Ordinance, 1976 (12 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

In exercise of the powers conferred by sub-section (1) of section 43A of the Kerala Municipal Corporations Act, 1961 (30 of 1961), the Government, by notification G. O. Ms. 103/74/LA & SW dated 10th May, 1974, directed that the Council of the Corporation of the City of Calicut be dissolved on and from the noon of the 10th May, 1974, and be reconstituted on the noon of 7th November, 1974. The time so fixed for the reconstitution of the said Council was further extended, from time to time, by the Government in exercise of the powers conferred by the proviso to sub-section (1) of section 43A of the said Act, by an aggregate period of two years, that is, upto noon on the 7th day of November, 1976. As the election to the council could not be held before the said date, it was considered necessary to extend the time for reconstitution of the council upto the 1st day of November, 1977. Since the maximum period by which reconstitution can be extended under the said proviso is two years and as the Legislative Assembly was not in session, the Calicut Municipal Corporation (Extension of Time for Reconstitution) Ordinance, 1976 (12 of 1976), was promulgated by the Governor on the 6th day of November, 1976 to achieve the above object. The Bill seeks to replace the Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill seeks to empower the Government to appoint such person or persons as they think fit to exercise and perform the functions of the council and of the Mayor, Deputy Mayor, Standing Committees and other Committees of the Corporation, during the interval between the commencement of the Act and the date of reconstitution of the council. This is a matter of administrative nature and therefore the delegation is of a normal character.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 10542/LA4/76. *Dated, Trivandrum,* 19*th December* 1976.

The Chalakudy and Malappuram Municipal Councils (Extension of Term of Office of Councillors) Bill, 1976 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/4736/S.

Fourth Kerala Legislative Assembly

Bill No. 290

THE CHALAKUDY AND MALAPPURAM MUNICIPAL COUNCILS (EXTENSION OF TERM OF OFFICE OF COUNCILLORS) BILL, 1976

A

BILL

to provide for the further extension of the term of office of the councillors of the Chalakudy and Malappuram Municipalities.

Preamble.—WHEREAS it is considered necessary to provide for the further extension of the term of office of the councillors of the Chalakudy and Malappuram Municipalities;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Chalakudy and Malappuram Municipal Councils (Extension of Term of Office of Councillors) Act, 1976.

(2) It shall be deemed to have come into force on the 30th day of November, 1976.

2. *Extension of term of office of Municipal Councillors.*—Notwithstanding anything contained in the Kerala Municipalities Act, 1960 (14 of 1961), the term of office of the councillors of the Chalakudy and Malappuram Municipalities constituted under the said Act, which expires on the 30th day of November, 1976, shall extend up to the 1st day of November, 1977.

3. *Repeal and saving.*—(1) The Chalakudy and Malappuram Municipal Councils (Extension of Term of Office of Councillors) Ordinance, 1976 (13 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

The term of office of the councillors of the Chalakudy and Malappuram Municipalities was due to expire on the 30th day of November, 1976. As election of councillors of the said municipalities could not be held before

that date, it was considered necessary to extend the term of office of the existing councillors upto the 1st day of November, 1977. Since tbe Legislative Assembly was not in session, the Chalakudy and Malappuram Municipal Councils (Extension of Term of Office of Councillors) Ordinance, 1976 (13 of 1976), was promulgated by the Governor on the 30th day of November, 1976, to achieve tbe above object. The Bill seeks to replace the Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

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Vol. XXI] Trivandrum, Sunday 19th December, 1976 / 28th Agrahayana 1898 [No. 723

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 10539/LA4A/76. *Dated, Trivandrum, 19th December 1976.*

The Kerala Municipal Councils (Extension of Term of Office of Councillors) Bill, 1976 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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TRIVANDRUM, 1976

33/4738/S

Fourth Kerala Legislative Assembly
Bill No. 291

THE KERALA MUNICIPAL COUNCILS (EXTENSION OF TERM OF OFFICE OF COUNCILLORS) BILL, 1976

A

BILL

to provide for the further extension of the term of office of the councillors of Municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities.

Preamble.—WHEREAS it is expedient to provide for the further extension of the term of office of the councillors of municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Municipal Councils (Extension of Term of Office of Councillors) Act, 1976.

2. *Extension of term of office of municipal councillors.*—Notwithstanding anything contained in the Kerala Municipalities Act, 1960 (14 of 1961), the term of office of the councillors of all the municipalities constituted under the said Act, other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities, which expires at noon on the 31st day of December, 1976, shall extend upto noon on the 1st day of November, 1977.

STATEMENT OF OBJECTS AND REASONS

By section 2 of the Kerala Municipal Councils (Extension of Term of Office of Councillors) Act, 1976 (9 of 1976), the term of office of the councillors of all the municipalities in the State other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities, was extended upto noon on the 31st day of December, 1976. Since there is no sufficient time to conduct the elections to the councils of those municipalities before the said date, it is proposed to extend the term of office of the existing councillors upto the 1st day of November, 1977.

2. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the consolidated Fund of the State.

K. AVUKADERKUTTY NAHA.

2/4737/S.